

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60725 of 2021

Arising Out of PS. Case No.-586 Year-2020 Thana- SASARAM NAGAR District- Rohtas

AMIT KUMAR GUPTA @ AMIT KUMAR SAH Son of Krishna Gopal
Shaw Resident of Village- Chawar Takiya, P.S.- Sasaram (T), District- Rohtas
at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh,Adv
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Sasaram (T) P.S.Case No.586 of 2020 registered for the offence under Sections 419,420,379 of IPC.

As per the prosecution case, a sum of Rs. 40 lacs from the account of the informant was misappropriated by some unknown person through net-banking.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been



implicated in the present case only on the basis of the confessional statement of co-accused, namely, Bhola Shankar Kumar. He further submits that except confessional statement, nothing has come against the petitioner. He further submits that co-accused, namely, Yadunath Pandey @ Bhaiji has been granted bail vide order dated 15.07.2021 in Cr. Misc. No. 10915 of 2021, co-accused, namely, Bhola Shankar Kumar has been granted bail vide order dated 16.08.2021 in Cr. Misc. No. 13813 of 2021, co-accused, namely, Sanjay Kumar @ Sanjay Kumar Soni @ Pintu Soni has been granted bail vide order dated 16.08.2021 in Cr. Misc. No.15518 of 2021 and co-accused, namely, Prakash Kumar has been granted bail vide order dated 01.12.2021 in Cr. Misc. No.56603 of 2021 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 02.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (T)



P.S.Case No.586 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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